

## (Caption of Case)

Application of Midlands Utility, Inc., for approval of  
New Schedule of Rates and Charges for Sewage  
Service provided to its customers in Richland,  
Lexington, Fairfield and Orangeburg Counties

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

## COVER SHEET

## DOCKET

NUMBER: 2004 - 297 - S

(Please type or print)

Submitted by: Charles H. CookSC Bar Number: 1367Address: 721 Olive StreetTelephone: 803-771-0555Columbia, SC 29205Fax: 803-771-8010

Other: \_\_\_\_\_

Email: ccook@elliottlaw.us

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

## DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition ☐ Request for item to be placed on Commission's Agenda expeditiously

☐ Other: \_\_\_\_\_

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
<input type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input checked="" type="checkbox"/> Letter	<input type="checkbox"/> Request
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certificatio
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery
<input checked="" type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input checked="" type="checkbox"/> Other: Perf. Bond & Fin.
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest	
<input type="checkbox"/> Other:	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit	
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report	

ELLIOTT & ELLIOTT, P.A.  
ATTORNEYS AT LAW  
721 OLIVE STREET  
COLUMBIA, SOUTH CAROLINA 29205  
[ccook@elliottlaw.us](mailto:ccook@elliottlaw.us)

ORIGINAL

CHARLES H. COOK  
OF COUNSEL

TELEPHONE (803) 771-0555  
FACSIMILE (803) 771-8010

October 18, 2007

**VIA HAND DELIVERY**

Mr. Charles L. A. Terreni  
Chief Clerk of the Commission  
SC Public Service Commission  
P.O. Drawer 11649  
Columbia, SC 29211

RECEIVED  
2007 OCT 18 PM 4:05  
SC PUBLIC SERVICE  
COMMISSION

RE: Midlands Utility, Inc., Performance Bond in Favor of the  
Public Service Commission, as Substituted for Existing Bond and  
Letter of Credit on File

Dear Mr. Terreni:

Enclosed for filing on behalf of Midlands Utility, Inc. please find the original and one (1) copy respectively of Performance Bond with Sureties (including required financial statements) of Midlands Utility, Inc. dated October 18, 2007, to replace the existing Performance Bond and Letter of Credit currently on file with the Commission.

This filing is being made pursuant to Order No. 2005-168 dated April 6, 2005, in Docket No. 2004-297-S and, as required therein provides for the amount of the bond to be provided on behalf of Midlands Utility, Inc. for the benefit of the Commission, totaling One Hundred Thousand and no/100ths Dollars (\$100,000.00).

Please acknowledge receipt of these documents by date-stamping the extra copy of the filing enclosed and returning it to our courier. (We are serving Ms. Nanette S. Edwards by copy with Certificate of Service attached.)

Should you have questions, please advise. Thank you.

Very truly yours,

ELLIOTT & ELLIOTT, PA

  
Charles H. Cook

CHC/mlw  
Enclosures

cc: Nanette S. Edwards, Esquire, ORS

RECEIVED

2007 OCT 18 PM 4:05

SC PUBLIC SERVICE  
COMMISSION

**PERFORMANCE BOND  
FINANCIAL STATEMENT  
(SEWER UTILITIES)**

**KNOW ALL MEN BY THESE PRESENTS, that Midlands Utility, Inc. being duly qualified to do business in the State of South Carolina, designated as “principal”, and that Midlands Utility, Inc., designated as “sureties” is/are held and firmly bound unto the Public Service Commission of South Carolina, designated as “obligee”, in the penal sum of \$100,000.00, for the payment of which well and truly to be made, the principal binds itself, its successors and assigns, and the sureties bind themselves, their personal representatives, and their assigns, jointly and severally, firmly by these presents.**

**WHEREAS, in accordance with the provisions of S. C. Code Ann., §58-5-720 (1976, as amended), which requires the principal to furnish a bond with sufficient surety, to the satisfaction of the obligee, conditioned as provided in said §58-5-720, and**

**WHEREAS, the obligee has granted the principal a Certificate of Public Convenience and Necessity and approved a schedule of rates for sewer service in areas shown on operating maps filed with the obligee, and**

**WHEREAS, this bond, when approved by the obligee, conditioned as in said §58-5-720, is to cover any and all liability which may arise as a result of the principal failing to provide adequate and sufficient service within its service area as prescribed in §58-5-720, and**

**WHEREAS, the obligee, upon notice and hearing, shall have the right to declare all or any part of the bond forfeited upon a determination by the obligee that the principal shall have willfully failed to provide such service as prescribed above, without just cause or excuse, and that such failure has continued for an unreasonable length of time, and**

**WHEREAS, the liability under the terms of this bond is hereby extended so as to include any fines or penalties imposed or assessed by the obligee against the principal under the provisions of S.C. Code Ann. §58-5-710 (1976 as amended), and**

**WHEREAS, in the event that any judicial action or proceedings are initiated with respect to this bond, the parties hereby agree that the venue thereof shall be Richland County, State of South Carolina, and**

**WHEREAS, the sureties, as stockholders of the principal, undertake this obligation for and in consideration of the principal being able to continue to operate a sewer utility providing service to the public for compensation under the jurisdiction of the obligee, and**

**WHEREAS, the sureties, as shall file with this bond a Financial Statement showing personal assets, liabilities, and net worth; and shall file annually with the obligee a revised Financial Statement as long as the bond continues in effect, and**

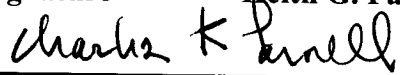
**WHEREAS, this bond shall become effective on the date executed by the principal and sureties, and shall continue from year to year unless the obligations of the principal and sureties under this bond are expressly released by the obligee in writing, and**

WHEREAS, the obligee upon notice and opportunity to the principal and sureties to be heard, may order that the face amount of this bond to be changed within the limits set forth in S. C. Code Ann., §58-5-720 (1976 as amended).

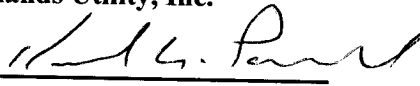
NOW THEREFORE, in testimony whereof, said principal has hereunto subscribed its name and said principal has caused this instrument to be signed by its duly authorized officers, and its corporate seal to hereunto affixed this 18th day of October, 2007; and that said sureties have caused this instrument to be signed this 18th day of October, 2007.

**SURETIES:**

  
\_\_\_\_\_  
Signature                      Keith G. Parnell


  
\_\_\_\_\_  
Signature                      Charles K. Parnell

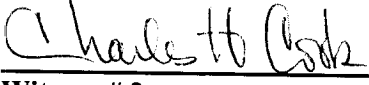
\_\_\_\_\_  
Midlands Utility, Inc.

  
\_\_\_\_\_  
By: Keith G. Parnell

**IN THE PRESENCE OF:**

\_\_\_\_\_  
Title: President

  
\_\_\_\_\_  
Witness # 1                      As to all


  
\_\_\_\_\_  
Witness # 2                      As to all

# ACKNOWLEDGEMENT OF PRINCIPAL

STATE OF SOUTH CAROLINA

COUNTY OF LEXINGTON

On October 18, 2007, Keith G. Parnell came before me personally, to me known, and who being by me duly sworn, did depose and state; that he is the President of Midlands Utility, Inc., the Corporation which executed the foregoing instrument; that he knows the seal of said Corporation, that the seal affixed to the said instrument is such corporate seal; that it was so affixed by the order of the Board of Directors of said Corporation, and that he signed his name to said instrument by like order.

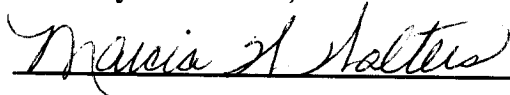


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Keith G. Parnell

SWORN to before me this

18th day of October, 2007



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(L. S.)

Notary Public for South Carolina

My Commission Expires: 9-16-2015

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(Affix seal if not South Carolina Notary Public)